

ORDINANCE NO. 15-_____

BE IT ORDAINED by the City Council of the City of Huntsville, Alabama, as follows:

Section 1. The City Council of the City of Huntsville, Alabama, finds that an application has been presented to the City of Huntsville requesting a vacation of a portion of a utility and drainage easement; that the applicant has represented to the City of Huntsville that **Diltina Development Corporation**, is the owner of the property across which said easement lies; that said easement, or portion being vacated, is not presently used and is no longer needed for a public or municipal purpose.

Section 2. Pursuant to the findings in Section 1 hereinabove, the Mayor of the City of Huntsville, Alabama, is hereby authorized, requested and directed to execute a quitclaim deed vacating the easement hereinafter described, said deed being substantially in words and figures as follows, to-wit:

STATE OF ALABAMA
COUNTY OF MADISON

Quit-Claim Deed

Know all Men by these Presents: That, in consideration of One Hundred Dollars (\$100.00) and other good and valuable consideration to him in hand paid by the Grantee herein, the receipt of which is hereby acknowledged, **CITY OF HUNTSVILLE, AN ALABAMA MUNICIPAL CORPORATION** (herein referred to as "Grantor") does by these presents grant, bargain, sell and convey unto **DILTINA DEVELOPMENT CORPORATION, AN ALABAMA CORPORATION** (herein referred to as "Grantee") the following described real estate situated in Madison County, Alabama, to-wit:

UTILITY AND DRAINAGE EASEMENT TO BE VACATED

ALL THAT PART OF SECTION 10, TOWNSHIP 5 SOUTH, RANGE 1 EAST, CITY OF HUNTSVILLE, MADISON COUNTY, ALABAMA, AND BEING A PORTION OF A 15 FOOT WIDE UTILITY AND DRAINAGE EASEMENT LYING WITHIN LOT 34A OF INSPIRATION ON GREEN MOUNTAIN PHASE II, LOT 34A RESUBDIVISION, A RESUBDIVISION OF LOT 34 AND LOT 35 OF INSPIRATION ON GREEN MOUNTAIN PHASE II AS RECORDED IN INSTRUMENT NO. 20131024000686970, AS RECORDED IN INSTRUMENT NO. 20150924000531410 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCING AT A 1/2-INCH CAPPED IRON PIN (CA451LS) MARKING THE SOUTHWEST CORNER OF LOT 36 OF INSPIRATION ON GREEN MOUNTAIN PHASE II AS RECORDED IN INSTRUMENT NO. 20131024000686970 IN THE OFFICE OF THE JUDGE OF PROBATE, MADISON COUNTY, ALABAMA, AND HAVING ALABAMA STATE PLANE COORDINATES (EAST ZONE, NAD 83) OF NORTH: 1497260.94, EAST: 452401.20; THENCE SOUTH 85 DEGREES 16 MINUTES 48 SECONDS WEST, 127.16 FEET TO A 1/2-INCH CAPPED IRON PIN (CA451LS); THENCE NORTH 43 DEGREES 33 MINUTES 54 SECONDS WEST, 12.84 FEET TO THE POINT OF BEGINNING;

THENCE, FROM THE POINT OF BEGINNING, SOUTH 85 DEGREES 16 MINUTES 48 SECONDS WEST, 9.63 FEET TO A POINT; THENCE NORTH 43 DEGREES 33 MINUTES 54 SECONDS WEST, 259.70 FEET TO A POINT; THENCE ALONG A CURVE TO THE LEFT HAVING A RADIUS OF 438.00 FEET, AN ARC LENGTH OF 15.00 FEET, AND A CHORD BEARING AND DISTANCE OF NORTH 46 DEGREES 26 MINUTES 06 SECONDS EAST, 15.00 FEET TO A POINT; THENCE SOUTH 43 DEGREES 33 MINUTES 54 SECONDS EAST, 271.78 FEET TO A POINT; THENCE SOUTH 85 DEGREES 16 MINUTES 48 SECONDS WEST, 9.63 FEET TO THE POINT OF BEGINNING AND CONTAINING 0.09 ACRES (3985 SQUARE FEET) MORE OR LESS.

To Have and To Hold the aforegranted premises to the said Grantee, its successors and assigns forever.

In Witness Whereof, the said Grantor has set his hand and seal this 3rd day
of December, 2015

CITY OF HUNTSVILLE, ALABAMA
a municipal corporation

by: **Tommy Battle, Mayor** {L.S.}

ATTEST:

By: _____
Charles E. Hagood
Clerk-Treasurer

STATE OF ALABAMA

COUNTY OF MADISON

I, the undersigned notary public, in and for said county and state, hereby certify Tommy Battle and Charles E. Hagood, whose names as Mayor and City Clerk-Treasurer, respectively, of the **CITY OF HUNTSVILLE, an Alabama municipal corporation**, are signed to the foregoing document, and who is known to me, acknowledged before me on this day that, being informed of the contents of the instrument, they, as such officers and with full authority, executed the same voluntarily on the day the same bears date.

This 3rd day of December, 2015

Notary Public:
My commission expires:

Grantor's Name and mailing address:
CITY OF HUNTSVILLE
308 FOUNTAIN CIRCLE, P.O. BOX 308
HUNTSVILLE, AL 35801

Grantee's Name and mailing address:
DILTINA DEVELOPMENT CORPORATION
7545-A HIGHWAY 72 WEST
MADISON, AL 35758

Property address:
Vacant Land

Date of Sale: October _____, 2015

Total Purchase Price: _____

Or

Actual Value: _____

Or

Assessed Value: _____

The Purchase price or actual value claimed on this form can be verified in the following documentary evidence: (Check one) (Recordation of documentary evidence is not required)

____ Bill of Sale
____ Sales Contract
____ Closing Statement
____ Appraisal
☒ Other

This property does _____ does not ☒ constitute the homestead of the Grantor or the Grantor's spouse. (Check One)

THIS INSTRUMENT PREPARED BY:

Keith Jones
Wolfe, Jones, Wolfe, Hancock, Daniel & South,
LLC
905 Bob Wallace Avenue
Huntsville, AL 35801

File # J15-1609

Ordinance No. 15-_____ (Cont.)
Diltina Development Corporation

ADOPTED this the 3rd day of December, 2015.

President of the City Council
of the City of Huntsville, Alabama

APPROVED this the 3rd day of December, 2015.

Mayor of the City of
Huntsville, Alabama